

1 **HOWIE & SMITH, L.L.P.**

2 ATTORNEYS AT LAW

3 1777 BOREL PLACE, SUITE 1000
4 SAN MATEO, CA 94402-3509

5 TEL: (650) 685-9300
6 FAX: (650) 212-0842

7 ROBERT G. HOWIE, SBN 057361

8 AUDREY SMITH, SBN 180836

9 ATTORNEYS FOR PLAINTIFFS KATHERINE MILTON, INDIVIDUALLY AND AS TRUSTEE FOR THE KATHERINE VASSER
10 CROMMELIN MILTON LIVING TRUST; JOHN G. CROMMELIN IV, INDIVIDUALLY; RANDALL TURNER INDIVIDUALLY
11 AND AS TRUSTEE FOR THE LILLIAN B. CROMMELIN, JAMES HAMPTON GOING & JAMES MERRITT REED JR.
12 DESCENDANTS' TRUSTS

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION

16 KATHERINE MILTON, individually and)
17 as TRUSTEE FOR THE KATHERINE)
18 VASSER CROMMELIN MILTON)
19 LIVING TRUST; JOHN G. CROMMELIN)
20 IV, individually; RANDALL TURNER,)
21 individually and as TRUSTEE FOR THE)
22 LILLIAN B. CROMMELIN, JAMES)
23 HAMPTON GOING & JAMES MERRITT)
24 REED JR., DESCENDANTS' TRUSTS)

Case No. 4:16-CV-04604-DMR

25 **PLAINTIFFS REQUEST AND [PROPOSED]
26 ORDER OF DISMISSAL WITH
27 PREJUDICE**

28 Plaintiffs,

v.

ATAIN SPECIALTY INSURANCE)
COMPANY, a Michigan corporation,)
and DOES 1-25, inclusive,)

Defendants.

Case Filed: July 13, 2016

21 Plaintiffs have agreed to settlement, and performance of the terms of the settlement has been
22 accomplished, the parties have agreed to bear their own costs and attorneys fees, there are no cross-
23 actions in the matter.

24 The plaintiffs therefore request entry of a dismissal order with prejudice.

25 //

1 I declare under penalty of perjury under the laws of the State of California that the foregoing is
2 true and correct.

3 Executed in San Mateo California, County of San Mateo on March 10, 2017.

4 **HOWIE & SMITH, L.L.P.**

5 By:

/s/Robert G. Howie

6 Robert G. Howie, Esq. Attorney for Plaintiff
7 KATHERINE MILTON, individually and as
8 TRUSTEE FOR THE KATHERINE VASSER
9 CROMMELIN MILTON LIVING TRUST;
10 JOHN G. CROMMELIN IV, individually,
11 RANDALL TURNER, individually and as
12 TRUSTEE FOR THE LILLIAN B.
13 CROMMELIN JAMES HAMPTON GOING &
14 JAMES MERRITT REED JR. DESCENDANTS'
15 TRUSTS

16 **[Proposed] ORDER OF DISMISSAL**

17 Plaintiffs have agreed to settlement, and performance of the terms of the settlement have been
18 accomplished, the parties have agreed to bear their own costs and attorneys fees, there are no cross-
19 actions in the matter.

20 On request of the plaintiffs for entry of a dismissal with prejudice, and for good cause shown:

21 IT IS HEREBY ORDERED that the action be and is dismissed with prejudice.

22 Dated: March 13, 2017



CERTIFICATE OF SERVICE

I certify that a copy of this document was served electronically on March 10, 2017 on counsel of record in compliance with Federal Rule 5, Local Rule 5-6, by use of the Court's ECF system.

/s/ Robert G. Howie
Robert G. Howie, Esq.